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7 **UNITED STATES DISTRICT COURT**
8 **SOUTHERN DISTRICT OF CALIFORNIA**

9 MICHAEL LEWIS, LAUREN
10 TAYLOR, C.L., a minor, and B.L.,
a minor, by and through their guardian
ad litem,

11 Plaintiffs,

12 v.

13 COUNTY OF SAN DIEGO,
14 COUNTY AGENT IAN BAXTER,
COUNTY AGENT N. QUINTEROS,
15 COUNTY AGENT SUPERVISOR
BENITA JEMISON, COUNTY
16 AGENT ABIGAIL JOSEPH,
COUNTY AGENT SUPERVISOR
ANTONIA TORRES, COUNTY
17 AGENT SUPERVISOR ALFREDO
GUARDADO, and COUNTY
18 AGENT BROOKE GUILD,

19 Defendants.

CASE NO. 13-cv-2818-H-JMA

**ORDER DENYING MOTION TO
AMEND SCHEDULING ORDER**

[Doc. No. 60]

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21 On April 14, 2016, the parties moved to extend the deadline for Plaintiffs to file
22 a motion for leave to amend the complaint. (Doc. No. 60.) The Court declines to grant
23 the motion.

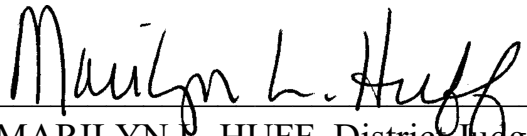
24 This case has been pending since November of 2013. (Doc. No. 1.) Plaintiffs
25 filed an amended complaint in August of 2014. (Doc. No. 17.) They also filed a notice
26 of intent not to amend further on March 25, 2015. (Doc. No. 30.) Plaintiffs have been
27 on notice of the April 4, 2016 deadline since February 2, 2016. (Doc. No. 49 ¶ 1.) The
28 deadline has passed.

1 Rule 6(b) of the Federal Rules of Civil Procedure provides that the court has
 2 discretion to extend a deadline for good cause. When the deadline has passed, good
 3 cause requires “excusable neglect.” Fed. R. Civ. P. 6(b)(1)(B). New counsel as of
 4 four months ago is not good cause. Additionally, Plaintiffs’ proposed new claims are
 5 separate from the ones in the present complaint, as they involve medical examinations
 6 and different transactions that would unduly complicate this case at this stage. And,
 7 at this point, the parties have done substantial discovery on Plaintiffs’ present claims.
 8 (See Doc. No. 60 ¶ 5.)

9 Accordingly, exercising its discretion, the Court declines to grant the parties’
 10 untimely motion. Plaintiffs can assert the new claims in a separate complaint, which
 11 will be assigned a new case number and proceed separately. The Court notes that the
 12 statute of limitations will not be an issue because Plaintiffs are minors. See Cline v.
 13 Brusett, 661 F.2d 108, 110 (9th Cir. 1981); Cal. Civ. Code § 352(a).¹

14 **IT IS SO ORDERED.**

15 DATED: April 15, 2016

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 17 MARILYN L. HUFF, District Judge
 18 UNITED STATES DISTRICT COURT
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27 _____
 28 ¹ The Court also declines to move the deadline for lodging the proposed final
 pretrial conference order. (Doc. No. 58 ¶ 13.)